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USMISSION USBERLIN IMMEDIATE
INFO USMISSION NATO BRUSSELS
AMEMBASSY BERLIN
AMEMBASSY LONDON
AMEMBASSY PARIS
AMEMBASSY MOSCOW

C O N F I D E N T I A L SECTION 01 OF 02 BONN 04779

E.O. 11652: GDS
TAGS: PINT, PGOV, PFOR, PINS, WB, GW, US, UK, FR
SUBJECT: GERMANS REQUEST BUNDESGRENZSCHUETZ EXPERTS FOR BERLIN

REF: BONN 4290

SUMMARY: FRG HAS FORMALLY APPROACHED ALLIES SEEKING AGREEMENT FOR RETURN TO BERLIN, UNDER ARRANGEMENTS TO BE WORKED OUT, OF BUNDESGRENZSCHUETZ (BGS) MEMBERS WHO WOULD SERVE IN ADVISORY CAPACITY IN CONNECTION WITH RADIO DIRECTIONAL FINDING WORK AS A PART OF THE MANHUNT FOR THE LORENZ KIDNAPPERS. END SUMMARY.

1. FOLLOWING UP ON CONTACTS OVER THE WEEKEND BY FRG FOREIGN OFFICE POLITICAL DIRECTOR VAN WELL WITH ALLIED DCMS AND BY FRG BONN GROUP REPRESENTATIVES WITH ALLIED COUNTERPARTS, BONN GROUP MEETING CALLED FOR MONDAY CONFIDENTIAL

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MORNING, MARCH 24, TO CONSIDER REQUEST RECEIVED BY FRG

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INTERIOR MINISTER MAIHOFER FROM BERLIN MAYOR NEUBAUER FOR RETURN TO BERLIN OF BGS RADIO EXPERTS. FRG REP (KASTRUP) PASSED THE FOLLOWING INFORMATION AS THE BASIS FOR THE REQUEST:
A) BERLIN AUTHORITIES ARE OF THE VIEW THAT THE SPECIAL COMPETENCE OF THESE BGS MEMBERS IS NEEDED ON AN URGENT BASIS IN CONNECTION WITH THE MANHUNT FOR THE LORENZ KIDNAPPERS;
B) ONLY THESE BGS EXPERTS HAVE THE DEGREE OF TECHNICAL COMPETENCE REQUIRED TO FULLY EXPLOIT LEADS WHICH HAVE ALREADY BEEN DEVELOPED;
C) THE MAXIMUM NUMBER OF BGS MEMBERS WOULD BE TEN AND THEY ARE NEEDED IMMEDIATELY FOR A PERIOD OF UP TO THREE WEEKS;
D) THE BGS MEMBERS WOULD COME UNDER THE AUTHORITY OF THE BERLIN POLICE AUTHORITIES AND WOULD SERVE IN ADVISORY CAPACITY WITH NO REPEAT NO EXECUTIVE AUTHORITY; AND
E) THESE BGS MEMBERS WOULD FURTHER TRAIN BERLIN OFFICIALS IN ADDITION TO SERVING AS TECHNICAL ADVISORS FOR THE MANHUNT.
KASTRUP ADDED THAT IT WAS FOREIGN MINISTER GENSCHER'S PERSONAL DESIRE THAT THE ALLIES BE INFORMED THAT THE BGS IS NOT A PARA-MILITARY ORGANIZATION.

2. UK REP (CULLIMORE) SAID THAT, ON THE BASIS THERE INDEED IS A NEED IN BERLIN FOR RADIO DIRECTION FINDING EXPERTISE, THE BRITISH WERE PREPARED TO CONSIDER SOME KIND OF ARRANGEMENT WHICH WOULD MAKE SUCH EXPERTISE AVAILABLE BUT WOULD NOT EXPOSE THE ALLIES AND THE FRG TO UNANSWERABLE CHARGES FROM THE SOVIETS. CULLIMORE ADDED THAT IT WOULD NOT SEEM TO BE PROFITABLE TO ENGAGE NOW IN A DISCUSSION AS TO THE PRECISE NATURE OF THE BGS. THERE WAS A DIFFERENCE OF OPINION ON THAT SCORE AND IN THE PRESENT CIRCUMSTANCES IT DID NOT APPEAR USEFUL TO FOLLOW UP ON THAT MATTER.

3. AFTER PROLONGED DISCUSSION OF THE REQUEST ALL REPS AGREED TO PROCEED AS FOLLOWS:
A) THE BERLIN MISSIONS, AS INITIAL RESPONSE TO LETTER FROM THE SENAT WITH FORMAL REQUEST (WHICH WE UNDERSTAND CONFIDENTIAL

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WAS DELIVERED THIS MORNING), WOULD SEEK CLARIFICATION FROM THE BERLIN AUTHORITIES AS TO THE PRECISE NATURE OF THE OPERATION FOR WHICH THE BGS' EXPERTISE IS BEING REQUESTED WITH A VIEW TO DETERMINING IF ASSETS (GERMAN OR ALLIED) ALREADY IN BERLIN COULD MEET THE NEED;
B) SENAT-ALLIED DISCUSSION WOULD ALSO CLARIFY DEGREE OF ESSENTIALITY OF THIS EXPERTISE IN BERLIN; (COMMENT: FRENCH HAVE TOLD US THAT FRENCH AS CHAIRMAN IN BERLIN

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HAVE ALREADY INITIATED DISCUSSIONS OF BOTH POINTS A AND B) AND C) ALL REPS WOULD INFORM AUTHORITIES OF WHAT SEEMED TO BE THE TWO POSSIBLE COURSES (SEE PARA 4 BELOW) OF ACTION IF DISCUSSIONS UNDER A AND B ABOVE LED TO CONCLUSION THAT EXPERTISE WAS INDEED ESSENTIAL IN BERLIN AND NO ASSETS THERE WERE ABLE TO PERFORM THE REQUIRED FUNCTION (FRG REP ASSURED OTHERS THAT NO SUCH EXPERTISE EXISTED IN THE FEDERAL GOVERNMENT OUTSIDE OF BGS).

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4. ON ASSUMPTIONS NOTED ABOVE TWO BROAD POSSIBILITIES SEEM TO OFFER THEMSELVES:
(A) BY SUFFICIENT ADMINISTRATIVE MEANS (E.G. DETACHING, SECONDING, ETC,), ALLOW THESE BGS MEMBERS TO RETURN TO BERLIN WITHIN THE GERMAN CONTROL; OR

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(B) ALLOW BGS MEMBERS TO FUNCTION IN BERLIN AT ALLIED INVITATION AND UNDER ALLIED CONTROL' UK REP TENDED TO FAVOR ARRANGEMENT (A), BELIEVING THAT BY VARIOUS ADMINI-STRATIVE ARRANGEMENTS SUFFICIENT "INSULATION" COULD BE CREATED, AND SUFFICIENT "COVER" COULD BE ESTABLISHED FOR BGS MEMBERS TO PROCEED TO BERLIN AS REQUESTED. IN CONNECTION WITH (A), FRG REP AGAIN CONFIRMED THAT UNDER FRG LAW DETACHING BGS MEMBERS FROM THE BGS AND ATTACHING THEM (E.G. TO THE BUNDESKRIMINALAMT) WOULD MEAN THAT THE BGS MEMBERS WOULD LEGALLY DURING THE PERIOD OF DETACH-CONFIDENTIAL

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MENT NOT BE MEMBERS OF THE BGS. FRENCH REP (BOISSIEU) WAS OF STRONG OPINION THAT ALLIED AUSPICES OFFERED BETTER SOLUTION. IN SUPPORTING THIS THE FRENCH REP SAID THAT A POSSIBLE SOVIET PROTEST WAS ONLY A SECONDARY PROBLEM FOR PARIS, THE REAL POINT BEING THAT THE ALLIES HAD ALWAYS PROHIBITED BGS ACTIVITIES IN THE WSB. THE ALLIES HAVE CLEAR RESPONSIBILITIES FOR THE SECURITY OF BERLIN, WHICH THEY HAVE ALWAYS TAKEN PAINS TO CLEARLY RESERVE FOR THEMSELVES, AND THE ALLIES SHOULD NOT HESITATE NOW TO TAKE THE MEASURES NECESSARY TO MAINTAIN THE SECURITY OF BERLIN AND OF THE ALLIED FORCES THERE. THE FRENCH REP SAID THAT THE ALLIED VIEW IN THIS ENTIRE AREA WAS VERY CLEARLY SPELLED OUT IN THE 1955 DECLARATION OF BERLIN. IT ALSO SEEMED TO BE THE CASE THAT NO MATTER WHAT THE LEGAL NICETIES IN THE FRG WERE OF ATTACHING AND DETACHING BGS PERSONNEL, SUCH ACTION WOULD NOT SEEM TO BRING DEPLOYMENT OF BGS MEMBERS IN BERLIN INTO CONFORMITY WITH BERLIN LAW.

5. COMMENT: IT SEEMS TO US THAT THE FUNDAMENTAL QUESTIONS OF THE PRECISE NATURE OF OPERATIONS IN BERLIN FOR WHICH THE BGS PERSONNEL HAVE BEEN REQUESTED AND THE DEGREE OF ESSENTIALITY OF THIS EXPERTISE MUST BE RESOLVED BEFORE ALLIES ARE ABLE TO REACH ANY JUDGMENTS ON GERMAN REQUEST. ASSUMING, HOWEVER, A BROAD ALLIED AGREEMENT THAT EXPERTISE MUST BE MADE AVAILABLE IN BERLIN AND THAT ALLIES THEMSELVES ARE UNABLE TO PROVIDE IT, OUR THINKING TENDS IN THE DIRECTION OF A SOLUTION UNDER ALLIED AUSPICES. IT SEEMS TO US THAT WE DO NOT WANT TO BE IN A POSITION OF RESPONDING TO THE GERMAN REQUEST BY SAYING THAT THE ALLIES ARE UNABLE TO AGREE TO USE IN BERLIN UNDER GERMAN AUTHORITY OF BGS PERSONNEL BUT THE ALLIES THEMSELVES CAN NEITHER PROVIDE THE EXPERTISE NOR ARE THEY WILLING TO ARRANGE THE EXPERTISE FOR USE IN THIS PARTI-CULAR SITUATION. GIVEN THE CLEAR RESPONSIBILITIES OF THE ALLIES VIS A VIS SECURITY IN BERLIN IT WOULD NOT REPEAT NOT SEEM TO US A NEW DEPARTURE FOR THE ALLIES TO INVITE. THIS WOULD ALSO, WE THINK, PUT US IN GOOD POSITION IF

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SOVIET COMMENT SHOULD RESULT (NOTE: THERE HAS NOT BEEN ANY LEAKAGE SO FAR AS WE KNOW OF FACT OF BGS EARLIER PRESENCE OR OF ALLIED REQUEST FOR THEIR REMOVAL). WE
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WOULD WELCOME USBER'S VIEWS ON THE ABOVE, AND REQUEST DEPARTMENT GUIDANCE.
HILLENBRAND

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